



NAILAH K. BYRD
CUYAHOGA COUNTY CLERK OF COURTS
1200 Ontario Street
Cleveland, Ohio 44113

Court of Common Pleas

New Case Electronically Filed: COMPLAINT
June 1, 2022 12:10

By: JOHN F. GARSWOOD 0091434

Confirmation Nbr. 2564379

METROHEALTH MEDICAL CENTER

CV 22 964134

vs.

NATIONAL HEALTH INSURANCE COMPANY

Judge: JOHN D. SUTULA

Pages Filed: 4

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

METROHEALTH MEDICAL)	CASE NO.
CENTER)	
2500 MetroHealth Drive)	JUDGE
Cleveland, OH 44109)	
)	<u>COMPLAINT</u>
Plaintiff,)	
)	
v.)	
)	
NATIONAL HEALTH INSURANCE)	
COMPANY (NHIC))	
4455 LBJ Freeway)	
Suite 375)	
Dallas, TX 75244)	
)	
and)	
)	
JOHN DOE HEALTH INSURER)	
)	
Defendants.)	

NOW COMES Plaintiff, MetroHealth Medical Center, Inc., by and through its counsel, and for its cause of action against Defendant, National Health Insurance Company says that:

1. The within cause of action arose in Cuyahoga County, Ohio.
2. At all times relevant, Plaintiff, MetroHealth Medical Center, was a not-for-profit corporation, registered in the State of Ohio, conducting business as a hospital.
3. At all times relevant, Defendant National Health Insurance Company (NHIC) upon information and belief is an insurance company doing business in Texas.
4. At all times relevant, Defendant provided a policy of health insurance to Tracey Horn, a patient treated at Plaintiff's facility.

5. At all times relevant, patient Tracey Horn was also a Medicaid recipient.

6. Plaintiff provided medical service to Tracey Horn who was an insured of Defendant's, from 10/14/2016 through 11/11/2016, further identified as patient account no. *****8714.

7. Following Tracey Horn's treatment, the only coverage provided to Plaintiff at the time was her Medicaid fee-for-service plan.

8. Medicaid was billed, promptly paid, and then subsequently took back their payment citing a different primary payer, NHIC.

9. Following this takeback, a bill was submitted to Defendant on August 15, 2017 in the amount of \$306,659.54 for services rendered from 10/14/2016 through 11/11/2016. A copy of the account statement is not attached to the Complaint in order to protect the patient's personal health information. However, a statement was provided to Defendant through its third-party administrator.

10. Following the billing, NHIC and/or its administrator requested medical records, which were provided on October 12, 2017.

11. On March 12, 2018, NHIC indicated it had paid \$86,130.17, although those funds were never received by Plaintiff. Plaintiff requested a copy of the check.

12. NHIC and/or its administrator then requested an itemized copy of the bill on February 4, 2021.

13. On March 10, 2021, NHIC provided a denial of benefits, indicating it had previously paid this claim.

WHEREFORE, Plaintiff, MetroHealth Medical Center, Inc., prays that this Court grant Plaintiff judgment against Defendant, National Health Insurance Company in the amount of \$306,659.54 together with interest at the statutorily allowed rate from the date of judgment and costs of the within action.

Respectfully submitted,
DREYFUSS WILLIAMS & ASSOCIATES CO., L.P.A.

By: /s/ John F. Garswood

John F. Garswood (#0091434)
Michael T. Williams (#0059933)
1801 East Ninth Street, Suite 1110
Cleveland, Ohio 44114-3103
Phone: (216) 241-5300
Fax: (216) 241-2735
Email: jfgarswood@dreyfuss.com
Email: mwilliams@dreyfuss.com

Attorneys for Plaintiff

NAILAH K. BYRD
1200 Ontario
Cleveland, OH 44113

Case# CV22964134

RETURN RECEIPT REQUESTED ELECTRONICALLY



9314 8001 1300 3546 7294 44



NATIONAL HEALTH INSURANCE COMPANY
4455 LBJ FREEWAY
SUITE 375
DALLAS TX 75244

THE COURT OF COMMON PLEAS, CIVIL DIVISION
CUYAHOGA COUNTY, OHIO

Clerk of Courts | The Justice Center | 1200 Ontario Street 1st Floor, Cleveland, Ohio 44113

METROHEALTH MEDICAL CENTER
Plaintiff

CASE NO. CV22964134

JUDGE JOHN D SUTULA

V.

NATIONAL HEALTH INSURANCE COMPANY
Defendant

SUMMONS

SUMC CM

Notice ID: 47700602



From: METROHEALTH MEDICAL CENTER P1
2500 METROHEALTH DRIVE
CLEVELAND OH 44109

Atty.: JOHN F GARSWOOD
6060 ROCKSIDE WOOD BLVD
STE 235
INDEPENDENCE, OH 44131-0000

To: NATIONAL HEALTH INSURANCE COMPANY D1
4455 LBJ FREEWAY
SUITE 375
DALLAS TX 75244

NOTICE TO THE DEFENDANT:

The Plaintiff has filed a lawsuit against you in this Court. You are named as a defendant. A copy of the **Complaint** is attached.

If you wish to respond to the Complaint, you must deliver a written **Answer** to the Plaintiff's attorney (or the Plaintiff if not represented by an attorney) at the above address *within 28 days* after receiving this Summons (not counting the day you received it). A letter or a phone call will not protect you. Civil Rule 5 explains the ways that you may deliver the **Answer** (<http://www.supremecourt.ohio.gov/LegalResources/Rules/civil/CivilProcedure.pdf>)

You must also file a copy of your **Answer** with this Court within 3 days *after* you serve it on the Plaintiff. You can file your **Answer** with the Clerk of Courts by one of the following methods: 1) In-person or by mail at the above address or 2) electronically through the online e-Filing system. For more information on using the e-Filing system, visit <http://coc.cuyahogacounty.us/en-US/efiling.aspx>.

If you fail to serve *and* file your **Answer**, you will lose valuable rights. The Court will decide the case in favor of the Plaintiff and grant the relief requested in the **Complaint** by entering a default judgment against you.

You may wish to hire an attorney to represent you. Because this is a civil lawsuit, the Court cannot appoint an attorney for you. If you need help finding a lawyer, contact a local bar association and request assistance.



Nailah K. Byrd
Clerk of Court of Common Pleas
216-443-7950

Date Sent: 06/01/2022

By 
Deputy



Cuyahoga County Clerk of Courts Nailah K. Byrd

Multilingual Notice:

You have been named as a defendant in this Court. You must file an answer within 28 days; if you fail to answer, the Court may enter judgment against you for the relief stated in the Complaint. Seek assistance from both an interpreter and an attorney. Your inability to understand, write, or speak English will not be a defense to possible judgment against you.

1. Spanish (US)

***Aviso multilingüe:

Este Tribunal lo ha declarado como acusado. Debe presentar una respuesta en un plazo de 28 días. Si no contesta en dicho plazo, el Tribunal podrá dictar sentencia en su contra por el amparo que se detalla en la demanda. Solicite la ayuda de un intérprete y de un abogado. Su incapacidad para comprender, escribir o hablar inglés no se considerará como defensa ante una posible sentencia en su contra.

2. Somali

***Ogeysiis luqadda badan ah:

Waxaa lagu magacaabay sida eedeysane gudaha Maxkamadan. Waa in aad ku soo gudbisaa jawaab 28 maalmood gudahood; haddii aad ku guuldareysto jawaabta, Maxkamada laga yaabo in ay gasho xukun adiga kaa soo horjeedo ee ka nasashada lagu sheegay Cabashada. Raadi caawinta ka timid labadaba turjubaanka iyo qareenka. Karti la'aantaada aad ku fahmo, ku qoro, ama ku hadasho Af Ingiriisiga ma noqon doonto difaacida xukunkaaga suuralka ah ee adiga kugu lidka ah.

3. Russian

***Уведомление на разных языках:

Вы были названы в качестве ответчика в данном суде. Вы должны предоставить ответ в течение 28 дней; если Ваш ответ не будет получен, суд может вынести решение против Вас и удовлетворить содержащиеся в жалобе требования. Воспользуйтесь услугами переводчика и адвоката. Тот факт, что Вы не понимаете английскую речь и не можете читать и писать по-английски, не является препятствием для возможного вынесения судебного решения против Вас.

4. Arabic

***ملاحظة متعددة اللغات:

لقد تم اعتبارك مدعى عليه في هذه المحكمة. يجب أن تقدم ردا خلال 28 يوما؛ وإذا لم تقم بالرد، فقد تصدر المحكمة حكما ضحك بالتعويض المنصوص عليه في هذه الشكوى القضائية. اطلب المساعدة من مترجم فوري ومحام. فلن تعد عدم قدرتك على فهم اللغة الإنجليزية أو كتابتها أو تحديثها دفاعا لك أمام الحكم المحتمل ضحك.

5. Chinese (Simplified)

***多語版本通知：

您在本法庭已被列为被告。您必须于 28

日内递交答辩状；如果没有递交答辩状，法庭会针对诉状中声明的补救措施对您作出不利判决。请向口译人员和律师寻求帮助。您无法理解、书写或说英语的情况不能作为对您可能作出不利判决的辩护理由。

Justice Center, 1st Floor • 1200 Ontario Street • Cleveland, Ohio 44113-1664 • 216.443.7950

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